

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

IN RE:

DEEPROOT CAPITAL MANAGEMENT,
LLC, ET AL.¹,

DEBTORS.

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BANKRUPTCY No. 21-51523

JOINTLY ADMINISTERED

**TRUSTEE'S WITNESS AND EXHIBIT LIST FOR SEPTEMBER 1, 2022 HEARING ON:
CYCLADIC PARTIES' MOTION TO QUASH
BANKRUPTCY RULE 2004 EXAMINATION NOTICES WITH SUBPOENA DUCES TECUM
[RELATING TO ECF Nos. 129 AND 137]**

John Patrick Lowe, Chapter 7 Trustee (“Trustee”), files this Witness and Exhibit List for the September 1, 2022 Hearing scheduled relating to the matter listed below.

MATTERS TO BE HEARD:

Expedited Motion to Quash bankruptcy Rule 2004 Examination Notices with Suppoena Duces Tecum filed by Cycladic International, LLC, Cycladic, LLC and Thomas N. Andrew (collectively, the “Cycladic Parties”) [ECF No. 137] (the “Motion to Quash”)

TRUSTEE'S WITNESSES:

Trustee designates the following witnesses:

1. Thomas N. Andrew, individually and as representative of Cycladic International, LLC and Cycladic, LLC;
2. Any witness called or designated by any other party;
3. Any rebuttal or impeachment witnesses, as necessary; and
4. Any person present at the Hearing (live or via WebEx)

Trustee reserves the right to amend or supplement this list at any time prior to the hearing.

¹ The jointly administered chapter 7 cases, along with their respective case numbers and the last four digits of each Debtor's federal tax identification number, are: In Re: Policy Services, Inc. 21-51513 (2864), In Re: Wizard Mode Media, LLC, 21-51514 (3205), In Re: deeproot Pinball LLC, 21-51515 (0320), In Re: deeproot Growth Runs Deep Fund, LLC, 21-51516 (8046), In Re: deeproot 575 Fund, LLC, 21-51517 (9404), In Re: deeproot 3 Year Bonus Income Debenture Fund, LLC, 21-51518 (7731), In Re: deeproot Bonus Growth 5 Year Debenture Fund, LLC, 21-51519 (9661), In Re: deeproot Tech LLC, 21-51520 (9043), In Re: deeproot Funds LLC, 21-51521 (9404), In Re: deeproot Studios LLC , 21-51522 (6283), and In Re: deeproot Capital Management, LLC, 21-51523 (2638), each an “**Estate**” and collectively, the “**Estates**”.

TRUSTEE'S EXHIBITS

Ex. #	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
1	Trustee's Notice of Intention to Take Rule 2004 Examinations with Subpoena Duces Tecum [re Cycladic Parties] – ECF No. 128, filed 7/26/22				
2	Form of Confidentiality and Protective Order – Appendix H of Local Rules of U.S. District Court, Western District of Texas				
3	10/15/2019 Correspondence Cycladic, LLC to Robert J. Mueller/Policy Services, Inc.				
4	Email thread beginning 8/24/22 and ending 8/26/22 by and between Counsel for Trustee and Counsel for Cycladic Parties				
5	Summary List of Relevant Excerpts from Transcript of May 27, 2021 Testimony of Thomas N. Andrew before the United States Securities and Exchange Commission (“SEC”) in the SEC proceeding styled and numbered In the Matter of deeproot 575 Fund, LLC, File No. HO-14036-A				
6	Transcript of May 27, 2021 Testimony of Thomas N. Andrew before the United States Securities and Exchange Commission (“SEC”) in the SEC proceeding styled and numbered In the Matter of deeproot 575 Fund, LLC, File No. HO-14036-A – NOTE: excerpts identified in Exhibit No. 5 listed herein are highlighted in this Transcript				
	Any exhibits designated by any other party				
	Any rebuttal or impeachment exhibits				

Trustee reserve the right to amend or supplement this list at any time prior to the hearing.

Respectfully submitted,

PULMAN, CAPPUCCIO & PULLEN, LLP
2161 NW Military Highway, Suite 400
San Antonio, Texas 78213
www.pulmanlaw.com
(210) 222-9494 Telephone
(210) 892-1610 Facsimile

By:/s/ Randall A. Pulman

Randall A. Pulman
Texas State Bar No. 16393250
rpulman@pulmanlaw.com

**ATTORNEYS FOR JOHN PATRICK LOWE,
CHAPTER 7 TRUSTEE FOR THE JOINTLY
ADMINISTERED CASE OF IN RE DEEPROOT
CAPITAL MANAGEMENT, LLC ET AL.**

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of April, 2022, I electronically filed the foregoing document using the CM/ECF system, which will serve the document to the following parties requesting notice. A copy of the Trustee's Exhibits will be provided via email to Counsel for the Cycladic Parties; any other party wishing to receive copies of the Trustee's Exhibits should contact the undersigned attorney.

Via CM/ECF:

stephen.humeniuk@locklord.com

Stephen J. Humeniuk

LOCKE LORD LLP

600 Congress Ave., Suite 2200
Austin, Texas 78701

Counsel for Cycladic Parties

Via Counsel CM/ECF:

catherine.curtis@wickphillips.com

jason.rudd@wickphillips.com

Policy Services, Inc

deeproot Pinball, LLC

deeproot Growth Runs Deep Fund, LLC

deeproot 575 Fund, LLC

deeproot 3 Year Bonus Income Fund, LLC

deeproot BonusGrowth 5 Year Debenture Fund, LLC

deeproot Tech, LLC

deeproot Funds, LLC

deeproot Studios, LLC

deeproot Capital Management, LLC

12621 Silicon Dr.

San Antonio, TX 78249

Via Counsel Via CM/ECF:

catherine.curtis@wickphillips.com

jason.rudd@wickphillips.com

Wizard Mode Media, LLC

12227 S. Business Park Drive, Suite 130

Draper, UT 84020

Debtor's Counsel

Via CM/ECF: pat.lowe.law@gmail.com

John Patrick Lowe

2402 East Main Street

Uvalde, TX 78801

Via CM/ECF:

catherine.curtis@wickphillips.com

jason.rudd@wickphillips.com

Catherine A. Curtis/Jason M. Rudd
Wick Phillips Gould & Martin, LLP

3131 McKinney Ave, Suite 500
Dallas, TX 75204

Via CM/ECF:

USTPRegion07.SN.ECF@usdoj.gov

Aubrey.thomas@usdoj.gov

United States Trustee - SA12

US Trustee's Office (Aubrey Thomas)

615 E Houston, Suite 533

San Antonio, TX 78295-1539

Via CM/ECF: rbattaglia@outlook.com

Raymond W. Battaglia

Law Offices of Ray Battaglia, PLLC

66 Granburg Circle

San Antonio, TX 78218

Via CM/ECF: jpetree@mcslaw.com

Jonathan Petree

McGuire, Craddock & Strother, P.C

500 N. Akard Street Suite 2200

Dallas, TX 75201

Via CM/ECF: jdunne@smfadlaw.com

John C Dunne

SMFAD Law

1001 McKinney Street #1100

Houston, TX 77002

Via CM/ECF: bk-cmurphy@oag.texas.gov

Texas Workforce Commission

c/o Christopher S. Murphy

Texas Attorney General's Office

PO Box 12548

Austin, TX 78711

Via CM/ECF: pautry@branscomblaw.com

Patrick H. Autry
BRANSCOMB PLLC
4630 N. Loop 1604 West, Suite 206
San Antonio, TX 78249

Via CM/ECF: lmjurek@jureklaw.com

Lynn M. Jurek
The Jurek Law Group, PLLC
4309 Yoakum Blvd.
Houston, TX 77006

Randall A. Pulman

Randall A. Pulman